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7 United States Trustee for Region 17

8  
9 **UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

11 In re: ) Case No. 21-50028 SLJ  
12 ) Chapter 7  
13 EVANDER FRANK KANE, )  
14 )  
Debtor. )

15 **STIPULATION TO ENLARGE TIME PERIODS FOR UNITED**  
16 **STATES TRUSTEE TO FILE MOTION TO DISMISS CASE**  
17 **UNDER 11 U.S.C. § 707(b)(3) AND/OR COMPLAINT TO DENY**  
**DISCHARGE UNDER 11 U.S.C. § 727 TO MAY 5, 2021**

18 Tracy Hope Davis, the United States Trustee for Region 17 (“U.S. Trustee”), by and through  
19 her undersigned counsel, and the Debtor Evander Frank Kane (“Debtor”), by and through their  
20 undersigned counsel (collectively, the “Parties”), hereby stipulate to the following facts:  
21

- 22 1. The Debtor filed a Chapter 7 bankruptcy case on January 9, 2021. ECF No. 1.  
23 2. The 11 U.S.C. § 341 Meeting of Creditors in the Chapter 7 case was initially held on  
24 February 3, 2021, and continued and concluded on February 23, 2021. *See* Bankruptcy Docket  
25 Generally.  
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1           3.       The U.S. Trustee is investigating whether it is appropriate to file a motion to dismiss  
2 case for abuse pursuant to 11 U.S.C. § 707(b)(3) (i.e., bad faith and totality of the circumstances  
3 abuse) and/or an adversary complaint to deny discharge under 11 U.S.C. § 727.  
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5           4.       The deadline for the U.S. Trustee to file a motion to dismiss case for abuse pursuant  
6 to 11 U.S.C. §§ 707(b)(1) and 707(b)(3) or an adversary complaint to deny discharge under 11  
7 U.S.C. § 727 expires on April 5, 2021. *See* Docket.

8           6.       The Parties hereby stipulate to extend the time for the U.S. Trustee to file a motion  
9 to dismiss under 11 U.S.C. §§ 707(b)(1) and 707(b)(3) and an adversary complaint to deny discharge  
10 under 11 U.S.C. § 727 to and including May 5, 2021.  
11

12 Dated: March 12, 2021

Dated: March 12, 2021

13 EVANDER FRANK KANE  
14 DEBTOR

TRACY HOPE DAVIS  
UNITED STATES TRUSTEE

15  
16 /s/ Stephen D. Finestone

/s/ Marta E. Villacorta

17 By: Stephen D. Finestone  
18 Attorney for the Debtor

By: Marta E. Villacorta  
Attorney for United States Trustee